

Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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MINUTES

Meeting of 3/13/95

Public Hearing on proposed amendments to special permit rules and regulations

Chair Colman opened the meeting at 8:08. Present were members LaLiberte, Hengeveld Yanofsky, Chaput and Duscha; Evans arrived at 8:20. Present also were Bill Tice, candidate for planning board, and Marty Galligan, Housing Authority chair.

Public hearing on special permit rules and regs amendments Colman opened the public hearing on several proposals to amend the special permit rules and regs by reading the notice of the hearing as it was published in *The Concord Journal*, and as it was posted at town hall. The board discussed first the amendments to the common drive regs which had been drafted by Colman. Members approved the content of the proposals, and made suggestions for wording changes for the purpose of clarity.

The board then reviewed the proposed application form changes, and made suggestions for redrafting it.

Next, members reviewed proposed application fee changes; changes to the proposal were discussed. These fees were based on the planner assistant's estimate of hours required to process each type of special permit. She had very specific records for some permits, such as accessory apartments and common driveways, but as there had been no new conservation cluster or flood hazard/wetland district permits in the last two years, her estimates for these were less precise. Chaput felt the fee for new conservation clusters was too high, not because it was unjustifiable, but because it might discourage applicants from using cluster instead of standard subdivision. Members agreed to lower it from \$400 to \$300. Yanofsky felt the common drive amendment fee was then out of line. Members agreed to lower it from \$300 to \$250. Members also felt the flood hazard/wetland fee was also too high, given the bylaw is seldom used and the planner's estimate was based on less precise information. Members agreed to lower the proposed fee from \$450 to \$250 for both categories of this permit. Evans moved and LaLiberte seconded that the board accept the fees as amended; all voted in favor.

LaLiberte, having learned in the discussion that it is often difficult to get applicants to return a copy of the recorded decision to the board for its files, suggested a separate small fee which would be returned to the applicant on the board's receipt of a copy of the recorded document. Board members instructed the planner assistant to inquire of town counsel whether this is acceptable practice. The planner assistant reminded the board that counsel Cutler, in reviewing the SROSC regs, had commented that the board's stipulation

that if recording does not occur within 60 days, the permit lapses, is not authorized in MGL Ch. 40-A. She was asked to review that question as well with town counsel. Colman ascertained that there were no comments from those in attendance. Yanofsky moved and Duscha seconded that the hearing be continued to 8:15 on March 27. All were in favor.

Master plan discussion Former board member Hughes, who has been working with Chaput on a master plan draft, joined the board at this time. Chaput explained that Evans, Hughes and she had been working on drafts of various sections, and had already asked the Trails Committee, the Housing Authority and the Council on Aging for help and comments. She thanked Hughes for pushing the process forward. She asked members whether they felt the draft, which they had reviewed over the weekend, was adequate as a basis for a Master Plan to be brought to spring town meeting. Evans commented that there would be a final draft by the 3/27/95 meeting, which would allow the next two weeks for circulation to other boards and public discussion at the board's 4/10/95 meeting. Further amendment and printing would then be done before the 4/25/95 town meeting.

Duscha raised her concern that the data from the 1993 community day and the 1994 survey had never been analyzed. Yanofsky commented that she was pleased to see the intense work which had been occurring, especially the organizing of the data previously generated, but she felt the board needed to have time to discuss the data, which had not been done at all in the last year. She asked where the conclusions were.

Evans replied that if the board got too involved, the process would get bogged down and the opportunity to present a Master or Study Plan at this town meeting would be missed. Yanofsky commented that the members need discussion time to establish priorities for the implementation recommendations to be made; she felt some of the proposed recommendations were alarming. She also felt the board needs to discuss sources and footnoting. Evans felt this could be accomplished at the next meeting. Duscha felt there were substantive content issues which would take considerable time to resolve, and that the important factor of public involvement in the process requires considerable time as well. LaLiberte responded that if public involvement is a key factor, then the board could establish a time table working back from the date at which that public comment must be received. If that date is 4/10, then the draft must be done by two weeks before that date. Colman felt the process should keep going forward until closer to town meeting. Evans asked how others felt public comment could be achieved. Duscha suggested an article in *The Mosquito*, and an executive summary which could be circulated to boards. Marty Galligan concurred that meeting with boards is of great importance, Bayne commented that it is difficult to get on board schedules at this time of year, as they are all preparing for town meeting. Hughes commented that the Master Plan has been worked on for eight years, and that the subcommittee is not likely to continue to work on it if it goes beyond this town meeting. She commented further that the data has come from three or four community days and approximately 15 other public meetings. The committee can document all data, she stated. Yanofsky raised her concern that much of the data is obsolete in that it is at least 5 years old. Hughes said that her sections include data which has been updated to this last week. Duscha commented that the plan needs more work, and that she is willing to do some work; Hughes should not fear that the process will die if it goes beyond this town meeting. Hengeveld commented that it is most important to get the draft in a form which can be presented to the public. Chaput suggested an extra

meeting to work on the draft, to be followed by the creation of an executive summary to be published in *The Mosquito*, and a public meeting for input. Hengeveld moved, and LaLiberte seconded, that there be a meeting on March 20 at 8:00 pm at the Education Center. All voted in favor. Yanofsky will not be able to attend.

LaLiberte will scan in all work done so far; a general editor will be decided at the next meeting. Chaput asked that all members send her their comments immediately so that they can be incorporated. Galligan commented that the draft was apple pie and motherhood; he recommended the reorganizing of the housing section to include a general background, and then sections on accessory apartments, housing for seniors, and action recommendations. Colman left the meeting at this time.

ANR Kirkland/Lewis, 893 Curve St. Chaput chaired the remainder of the meeting. The board reviewed this ANR, noting that adequate frontage and acreage is shown on this plan to divide one lot into two. The planner assistant reported that she had visited the site to assure that the frontage provides real access. Duscha moved, and Yanofsky seconded, that the board endorse the plan, and waive its requirements in The Rules and Regulations Governing the Subdivision of Land that the whole of any lot being subdivided be shown, and that all zoning requirements for lots be shown (Sections 2B2d and 2B2i), as this ANR shows a squarish 14 acre lot. All members voted in favor of the motion.

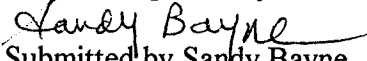
Minutes 2/27/95 Hengeveld moved and Duscha seconded that the minutes be accepted as amended by LaLiberte; Hengeveld, Duscha and LaLiberte voted in favor. Yanofsky, Chaput and Evans abstained.

Minutes 12/19/94 Duscha moved and Hengeveld seconded that the minutes be approved; Chaput, Hengeveld and Duscha voted in favor. Yanofsky, Evans and LaLiberte abstained.

Town offices proposal Duscha, who, along with Hengeveld, had attended a site walk with the building committee, reported on the favored site for the proposed town hall, which is one to the east of the fire station on a low knoll rather close to Westford Rd. Using her sketch to explain the choices placed before the committee by the architect, she noted that this site is closest to the center and may involve an intermittent wetland. Evans left the meeting at this time.

Evans land: letter from town counsel LaLiberte moved, and Duscha seconded, that the board accept the opinion of counsel Elizabeth Lane as expressed in her letter of March , 1995, and that the board take no further action until it is presented with a plan for subdivision or with further data showing compliance with MGL 41, Section 81-L. All voted in favor.

The meeting was adjourned at 10:45.


Submitted by Sandy Bayne